IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8760 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

VM VADANTHANI

Versus

STATE OF GUJARAT

Appearance:

MR IS SUPEHIA for Petitioner

GOVERNMENT PLEADER for Respondent No. 1, 2

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 08/03/2000

ORAL JUDGEMENT

#. Mr.I.S.Supehia, for the petitioner, Mr.Digant .P.Joshi A.G.P. for the respondent.

#. The petitioner has filed the present petition seeking direction that the respondent no.1 be directed to assign

the correct seniority to the petitioner as is assigned to the petitioner by the collectorate. It is the case of the petitioner that in the seniority list maintained by the Collector office his seniority is rightly fixed. In that list his name is rightly shown in the seniority list reckoning from the date of joining dtd.8.2.1972. However in the record maintained at the Govt. level his seniority is not correctly shown. Despite of several representation and requests made by the petitioner the said record is not corrected by the Govt. hence the present petition came to be filed.

#. This Court on 18.11.1999 issued rule in the matter and also notice as to interim relief making it returnable on 13.12.1999. The matter is taken up for final hearing. Looking to the nature of the controversy involved in the matter if the seniority of the petitioner is correctly shown in the record of the collectorate and if it is wrongly shown only in the record of the Govt. there is no reason as to why the authority should not look into the matter and correct the record pertaining to seniority of the petitioner.

#. It is, therefore, directed that the respondent no.1 Secretary, Revenue Department, Sachivalaya, Gandhinagar shall look into the matter and redress the grievance of the petitioner. The respondent no.1 shall decide the issue regarding seniority within 8 weeks from the date of receipt of this order. The petitioner shall serve this order to the authority.

#. The petition is allowed to the aforesaid extent only. Rule is made absolute. No order as to costs.

kks